

30.11.2022
Serial no. 16
[Dd]
(Anticipatory Bail)
(**Allowed**)

CRM (A) 5506 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Ratua** Police Station Case No. **324** of **2022** under Sections **498A/307/313/325/376/511** of the Indian Penal Code.

-And-

In the matter of : **Golenur Bibi & Ors.**
... .. **Petitioners**

Ms. Nayaab Molla, Advocate
... .. *For the Petitioners*

Mr. Arijit Ganguly,
Mr. Sanjib Kr. Dan, Advocates
... ..*For the State*

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that the husband was enlarged on bail by the jurisdictional Court.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Criminal Procedure Code and the medical examination report of the de facto complainant.

In her statement recorded under Section 164 of the Criminal Procedure Code the de facto complainant claims that the father-in-law burnt her arm with a cigarette, the mother-in-law set her saree on fire and the brother-in-law attempted to rape her. The injury report of the de facto complainant does not corroborate the claim of the de facto complainant receiving any burn injuries either by cigarette or her saree being set on fire.

In such circumstances, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner nos. 2 and 3 shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and petitioner no. 1 shall cooperate with the investigation till its completion and on further condition that the petitioners shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 5506 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)